

**REMARKS**

Claims 1-37 are pending in this application and were rejected. Claim 18 has been amended. In light of the following remarks, Applicant respectfully requests reconsideration of the application as amended.

**Claim Rejections - 35 USC § 103**

Claims 1-11, 18-22, 30, 32, 35 and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,449,260, to Sassin et al. ("Sassin"). Applicant respectfully traverses this rejection as Sassin fails to support a *prima facie* case of obviousness for any rejected claim, as Sassin fails to teach or suggest each element of those claims. Concisely, each rejected claim implicates a capability of separating the endpoint for a plurality of packet-switched call signaling connections from the media gateway controller that processes the content of those call-signaling connections. This capability is neither taught nor suggested by Sassin.

The rejection states that "at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to communicate via a session between the signaling gateway<sup>1</sup> and ACD like the session opened between the ACD and CTI gateway mentioned by Sassin." This statement appears to be mere hindsight, as Sassin teaches nothing that would suggest such a modification. Sassin teaches a separate temporary H.323 session between a media endpoint and either ACD 52 or gatekeeper 82 for each call, followed by an H.323 session, with bearer channels, connecting two media endpoints. Applicant fails to see a teaching within this of "terminating a plurality of packet-switched call signaling connections ... at a packet-switched signaling gateway" and "communicating, over a number of sessions smaller than the plurality, the signaling content of the call signaling connections from the signaling gateway to a primary media gateway controller". This claimed method does not even make sense between Sassin's gateway 80 and ACD 52—as gateway 80 is an H.323 endpoint, it simultaneously *cannot be a gateway for distilling its own H.323 connections into content for fewer sessions*.

Gatekeeper 82 does appear to have the capability to terminate a plurality of packet-switched call signaling connections. But gatekeeper 82 either passes that signaling straight through or acts as an H.323 endpoint itself. In one embodiment (see Figure 5 and col. 7, ll. 20-46), gatekeeper 82 processes H.225 RAS signaling with its own H.323 stack. Based on its

processing, it consults ACD 52 when it receives an ARQ message to determine where the call should be sent, but gatekeeper 82 certainly does not multiplex the H.323 signaling content, e.g., for interpretation elsewhere—it processes it within its own stack.

Regarding the dependent claims, each is patentable at least for the reasons presented above. Further, the additional limitations presented in at least claims 3, 4, 7, 8, 9, 10, 11, 35, and 37 have not been illustrated to be suggested by Sassin. The mere fact that the Examiner has imagined how Sassin now could be modified to function as claimed does not transform Sassin into a vehicle for those suggestions.

Claims 12-16, 23-27, 31 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sassin et al. as applied to claims 1-11, 18-22, 30, 32, 35 and 37 above, and further in view of Naudus. Applicant respectfully traverses this rejection as the combination of Sassin and Naudus fails to support a *prima facie* case of obviousness for any rejected claim, as the references fail to teach or suggest each element of those claims.

Applicant's response incorporates the arguments presented above, and acknowledges the Examiner's indication that Sassin does not expressly disclose multiplexing "outbound calls at the media gateway controller". As no such teaching has been indicated to exist in Naudus, the corresponding element of claims 12-14, 27, and 31 is completely missing from the rejection, and thus a *prima facie* case has not even been attempted. For the remaining claims, Naudus adds nothing that would buttress the deficiencies of Sassin as a reference, as already indicated above.

Claims 17, 33 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sassin et al. as applied to claims 1-11, 18-22, 30, 32, 35 and 37 above, and further in view of Galasso et al. Applicant respectfully traverses this rejection as the combination of Sassin and Galasso fails to support a *prima facie* case of obviousness for any rejected claim, as the references fail to teach or suggest each element of those claims.

The rejection asserts that "the primary master gatekeeper is synonymous with the primary media controller of the present invention in that it provides control-signaling functionality for a gateway." What is not addressed by the references, however, is the

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<sup>1</sup> Although the rejection characterizes Sassin's gateway 80 as a "packet-switched signaling gateway", it is in fact

*difference* that a gatekeeper does not take down all H.323 calls if it goes down, but a media controller can. Thus, as addressed in the present specification, it is the act of distributing the H.323 termination points to signaling gateways that allows the network to function if the gatekeeper fails. This is neither taught nor suggested by the references, thus they teach no way to provide failover, e.g., of H.323 call processing.

### CONCLUSION

Applicant respectfully requests entry of the amendments and allowance of the application. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

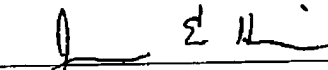


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Respectfully submitted,

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I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number (703) 872-9314, on February 6, 2003.

Signature \_\_\_\_\_  
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a packet-switched signaling endpoint.

RESPONSE TO  
OFFICE ACTION

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DO. No. 2705-72  
SERIAL No. 09/409,922

Received from < 5032744822 > at 2/7/03 11:50:47 AM [Eastern Standard Time]

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

18. (once amended) The method of claim 1, wherein one of the packet-switched bearer streams is [in] an audio stream.